



DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare &
Medicaid Services

Refer to DMCH: SJ

Region II
Federal Building
26 Federal Plaza
New York, N.Y. 10278

October 18, 2010

Donna Frescatore
Deputy Commissioner
New York State Department of Health
Corning Tower
Empire State Plaza
Albany, New York 12237

Dear Commissioner Frescatore:

This is to notify you that New York State Plan Amendment (SPA) #07-06 has been approved for adoption into the State Medicaid Plan with an effective date of April 1, 2007. The SPA concerns rates of payment for hospital outpatient clinic, emergency department, certified home health agency, adult day health, and freestanding diagnostic and treatment center services. The SPA continues various cost saving measures for these services which had been enacted by the New York State Legislature and signed into law by the Governor.

This SPA approval consists of 17 Pages. We are approving the following Pages which were submitted with New York State's August 20, 2010 electronic submission to CMS: Attachment 4.19-B-Page 1(b), 1(c)(ii), 1(d), 1(e), 2, 2(a)(i), 2(b), 2(b)(i), 2(c), 4, 4(a), 4(a)(iii), 4(a)(iv), 4(a)(iv)(1), 4(a)(iv)(2), 4(a)(v) and 7(a)(i). At that time, New York requested that these submitted Pages replace the all of the Pages which were originally provided with its SPA submission of June 28, 2007. This approval is for the 17 newly submitted Pages.

This amendment satisfies all of the statutory requirements at sections 1902(a)(13) and (a)(30) of the Social Security Act, and the implementing regulations at 42 CFR 447.250 and 447.272. Enclosed are copies of the SPA #07-06 and the HCFA-179, as approved.

If you have any questions or wish to discuss this SPA further, please contact Michael Melendez or Shing Jew of this office. Mr. Melendez may be reached at (212) 616-2430, and Mr. Jew's telephone number is (212) 616-2426.

Sincerely,

/s/

Sue Kelly
Associate Regional Administrator
Division of Medicaid and Children's Health

Enclosure: SPA #07-06
HCFA-179 Form

CC: JUlberg
 PMossman
 KKnuth
 SGaskins
 LTavener
 GCritelli
 PMarra
 MSamuel
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